

REMARKS

I. Status of the Claims of Patent Application

There are 28 claims pending in the application comprising claims 52-79. New claims 80 and 81 are respectfully requested to be entered.

II. Summary of the Office Action

In the present Office Action, claims 52-67, 71-73, and 77-79 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fox et al. (Adapting to Network and Client Variability via On-Demand Dynamic Distillation; ACM, October 1996) (cited by Applicant in IDS) (hereinafter Fox) in view of Himmel (USPN 6,167,441). Claims 68, 69, 74, and 75 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fox-Himmel in view of Edholm (US 2003/0067940). Claims 70 and 76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fox-Himmel in view of Hedin et al. (USPN 6,185,535) (hereinafter Hedin).

III. Request for Reconsideration

Applicant requests reconsideration of the rejections and further requests allowance of the application on the basis of the following remarks.

IV. Examiner Interview

A telephonic examiner interview was held with Examiner Avellino on April 3, 2007. The references cited in the Office, Fox and Himmel, were discussed. The substance of the discussion is provided below. An agreement was not reached. However, Examiner Avellino indicated that Applicant's remarks were persuasive and that he would reconsider the rejections.

V. Claim Rejections

In the Office Action, claims 52-67, 71-73, and 77-79 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Fox et al in view of Himmel.

First, in paragraph 16 of the Office Action under the section Responses to Arguments, the Examiner relies on a quote from Fox. However, Applicant was not able to find this text in Fox. During the Examiner Interview, the Examiner agreed with this assessment and

noted that it is from another article authored by Fox. The Examiner indicated that he would take curative measures as appropriate.

Secondly, the Office Action relies on Himmel for the deficiencies in Fox. Specifically, the Office Action states "Himmel discloses . . . an element which identifies the type of wireless device that is making the request (i.e., "browser identification and level from which device capabilities can be inferred.) Page 4 of the Office Action. However, this analysis ignores certain aspects of the claim. The claim recites that the "element" is part of the transport protocol used by the wireless device in its corresponding wireless communications network and that the element identifies the type of wireless device. Incorporation of this element in the transport protocol of the wireless communication network appears to be ignored in the Office Action, but such a feature provides advantages such as efficiency and accuracy in implementation. Moreover, the reliance on Himmel for browser identification in Himmel is misplaced. Browser identification provides browser capability information, not device capability of a wireless device such as the display capability of the wireless device. See also claim 2. A browser is a software application that can be run on a device independent of the type of device or device display capabilities. Therefore, it is inadequate for use in the parsing step as recited in the claim. Himmel highlights this problem in the prior art that exists due to the inadequacy of browser identification. Himmel establishes a detailed number of escalating steps following browser identification that includes sending a prompt to the user to enter information and if unsuccessful, downloading snooper software on the user's PC to obtain the needed information. Thus, not only does Himmel highlight the problem that is solved by the present invention as claimed, it teaches away from the more simpler solution that is provided in the present claim.

Thirdly, Fox also points away at looking to Himmel. As Applicant understands it, Himmel teaches maintaining multiple versions of a web page at a website so as to automatically direct web page requests to different versions maintained by the site (maintaining a web page in multiple formats). Fox implements a proxy type intermediary and further teaches away from the Himmel approach on page 162, third bullet, which states "this approach requires additional administration at the server."

Fourthly, the Office Action relies on Section 4.1 of Fox with respect to the "reformatting" feature recited in the claims. However, Applicant's review of that Section does not result in finding any mention or teaching of that step in Section 4.1 of Fox. Section 4.1 is on the subject

of the Pythia server which appears to be an experimental device. No discussion of implementation is provided. The server could have been implemented without any reformatting.

Fifthly, a further review of Fox indicates that Fox involves modifying client applications or using a client side agent for unmodified applications. The present invention as defined in the claims does not require modifying client applications or using a client side agent as indicated by Fox. The transport protocol provides an efficient and accurate solution not contemplated by Fox or Himmel.

Moreover, new claims 80 and 81 demonstrate that a user can input a URL of their choice which would permit the user to seek Internet web pages without device restrictions. Applicant's review did not indicate that Fox provided for such functionality.

VI. Previously Raised Issues

In the Office Action under the Responses to Arguments (and also in the previous Office Action), the Examiner addresses the "remove/removing" feature recited in the claim. A proper reading of that feature, whether it is its broadest reasonable interpretation or its reasonable interpretation has to be determined not in a vacuum but in view of the specification. Since Applicant believes that the foregoing overcomes the rejection and indicates the allowability of the present claims, Applicant sets aside that discussion pending further consideration of the Examiner's position and the meaning of the relevant claim terms in view of the specification if needed for further prosecution of this application.

VII. Conclusion

For the foregoing reasons, applicant submits that all of the claims are patentable over the cited art and respectfully requests reconsideration and an early indication of allowance. The Examiner is invited to contact the undersigned if any additional information is required.

Respectfully submitted,

4/27/07
date


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